



Security Council

Distr.
GENERAL

S/1997/861
7 November 1997

ORIGINAL: ENGLISH

NOTE VERBALE DATED 30 OCTOBER 1997 FROM THE PERMANENT REPRESENTATIVE
OF OMAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL /

The Permanent Representative of the Sultanate of Oman to the United Nations presents his compliments to the Secretary-General of the United Nations and pursuant to paragraph 13 of Security Council resolution 1132 (1997) of 8 October 1997 in which the Council requested States to report to the Secretary-General within 30 days of the date of adoption of the resolution on the steps they had taken to give effect to the provisions set out in paragraphs 5 and 6 of the resolution has the honour to transmit herewith the said report from the Government of the Sultanate of Oman.



Annex

[Original: Arabic]

The Sultanate of Oman, believing as it does that it is essential for the international community to oppose any threat to international peace and security that may arise, expresses its profound concern at the continuing violence and loss of life in Sierra Leone following the military coup and the deteriorating humanitarian situation in that country since 25 May 1997, as well as the resultant effects on neighbouring countries, expresses its support for the peaceful efforts being made by the Economic Community of West African States (ECOWAS) to resolve the crisis in Sierra Leone and wishes to encourage ECOWAS to continue to work for the restoration of constitutional order by peaceful means, including the resumption of negotiations with all parties involved in the crisis and cooperation with the Secretary-General of the United Nations.

Pursuant to Security Council resolution 1132 (1997), adopted unanimously on 8 October 1997, the Sultanate of Oman will undertake to give effect to the provisions of paragraphs 5 and 6 of the resolution.

To that end, the Sultanate of Oman will adopt legislation and issue specific, detailed instructions to the competent national bodies, with a view to giving full effect to this resolution. Those bodies are: the Ministry of Petroleum and Mines, which has jurisdiction in matters relating to petroleum and petroleum products; the Ministry of Defence, which has jurisdiction in matters relating to weapons, ammunition, military equipment and supplies and spare parts; and the National Police, which has jurisdiction in matters relating to the issue of entry and transit visas for the Sultanate of Oman to members of the military junta and adult members of their families in Sierra Leone. These measures will be taken in coordination and cooperation with the members of the Security Council Committee established pursuant to the above-mentioned resolution of the Security Council.



Security Council

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NOTE VERBALE DATED 6 NOVEMBER 1997 FROM THE PERMANENT
MISSION OF SINGAPORE TO THE UNITED NATIONS ADDRESSED
TO THE SECRETARY-GENERAL

The Permanent Mission of Singapore to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to refer to the latter's note dated 16 October 1997.

The Permanent Mission of Singapore to the United Nations has the honour to convey to the Secretary-General, pursuant to paragraph 13 of resolution 1132 (1997) of 8 October 1997, information on the steps taken by the Government of Singapore to give effect to paragraphs 5 and 6 of the resolution.



Annex

Steps taken by the Government of Singapore to give effect
to paragraphs 5 and 6 of resolution 1132 (1997)

Trade Development Board

1. The Trade and Development Board amended the Regulation of Imports and Exports Regulations to prohibit the export to Sierra Leone of petroleum and petroleum products and arms and related matériel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned. An imports and exports notice has been circulated to inform all traders, freight forwarders, cargo agents and carriers of the sanctions against Sierra Leone and the penalties involved if they do not comply with the notice. The penalties include fines and imprisonment for convicted offenders.

Customs and Excise Department

2. Officers conducting cargo inspections will prevent the export to Sierra Leone of the goods named in the notice of the Trade Development Board.

Civil Aviation Authority of Singapore

3. The Civil Aviation Authority of Singapore will support the Airport Police, Singapore Immigration, Customs, etc., to uphold the sanctions against Sierra Leone. The Authority will not approve applications from airlines to carry munitions of war to and from Sierra Leone.

Singapore Police Force - Arms and Explosives Branch

4. Any shipment of arms or weapons to Sierra Leone that lands in Singapore will either be seized for disposal or allowed to be sent back to the country of origin.

Singapore Immigration

5. Singapore Immigration agrees to prevent the entry into Singapore of members of the military junta and adult members of their family, once their particulars have been determined by the Committee of the Security Council and forwarded to the Government of Singapore.



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ORIGINAL: FRENCH

LETTER DATED 5 NOVEMBER 1997 FROM THE PERMANENT REPRESENTATIVE
OF BURUNDI TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

I have the honour to inform you that parliamentary days were organized in Bujumbura (Kigobe) from 14 to 17 October 1997 at the seat of the National Assembly. The theme of these days was "Contribution of the National Assembly to the process of peace and national reconciliation and to respect for human rights in Burundi".

I take this opportunity to transmit to you the text of the conclusions and recommendations that emerged from these parliamentary days.

I should be grateful if you would have this text circulated as a document of the Security Council.

(Signed) Gamaliel NDARUZDANIYE
Ambassador
Permanent Representative



Annex

Conclusions and recommendations adopted at the parliamentary days held in Kigobe from 14 to 17 October 1997 on the theme: contribution of the National Assembly to the process of peace and national reconciliation and to respect for human rights in Burundi

The participants in the parliamentary days,

Convinced that peace and security for all are an essential condition for the development of countries in general and of Burundi in particular, because of the unprecedented crisis that it has experienced since the fateful date of 21 October 1993,

Convinced that the National Assembly, as a legitimate national institution, must assume the responsibility of participating in the creation and maintenance of a political and diplomatic environment favourable to the process of peace, national reconciliation, democratization and national reconstruction,

Recognizing that the representatives of the people must defend the interests of the people who elected them, especially during this very trying time,

Considering that war, violence, suspicion and the demonization of others impede any progress towards reconciliation and the solution of the problems facing the people of Burundi,

Believing that all the people of Burundi need to regain peace and dignity and to enjoy their fundamental rights,

Considering that there is a need for an open and sincere dialogue among the people of Burundi under international mediation accepted by all the parties involved in the Burundi conflict,

Referring to our cherished culture, which requires that conflicts be settled peacefully by bashingantahe (leaders) accepted by society,

Following many exchanges of experience and fruitful discussions that were both diversified and complementary, the participants in the parliamentary days recommend that:

A. The Government:

1. Establish a clear programme aimed at restoring genuine peace and security for all;
2. Initiate and promote in Burundi society a philosophy which accords morality its rightful place, so as to constantly reinforce confidence among the people of Burundi and the equality of all before the law;

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3. Promote veneration of the truth, so as to restore confidence and a minimum state of coexistence among the people of Burundi, in particular through the media. For that reason there should be a joint review of history, so as to reveal the roots of the Burundi malaise;
4. Become deeply involved in the process of restoring the law;
5. Promote a political and moral framework and mechanisms that will reassure all the people of Burundi before negotiations begin;
6. Pursue without respite the policy of national reconciliation, repatriation, reinsertion, reinstallation and return of refugees, displaced persons, regrouped persons and dispersed persons;
7. Formulate a programme of national reconstruction and mobilize all the people of Burundi to play a part in its implementation;
8. Contact friendly countries and agencies in order to request material and financial assistance to complement its national reconstruction efforts;
9. Lastly, the defence and security forces should display exemplary behaviour in the execution of their mission, especially at this time, when peace negotiations are being prepared and in the future.

B. To the National Assembly:

The participants in the parliamentary days recommend that the Assembly:

1. Continue to be the architect of peace, democracy, respect for the law and the rule of law;
2. The Burundi parliamentarians observe that the embargo inflicts suffering on innocent people and request that it be lifted, while calling on the Government to honour the undertaking to participate in negotiations as recommended by the Heads of State of the region;
3. Initiate actions that contribute to the peace programme through its standing committees, each in its own sphere of competence, and to propose such actions to the various Burundi partners;
4. Listen to the people and to all the Burundi partners and propose solutions to their grievances;
5. Establish one or more specialized commissions to study the fundamental issues facing the nation, especially those relating to justice, education, good governance, the democratic ethos and so on;
6. Organize seminars and conferences to reinvigorate the action of the Burundi parliamentarians and invite eminent people having great experience in peaceful conflict resolution;

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7. Follow closely the various stages of the negotiations so as to ensure that the conclusions reached by the various parties are consonant with the higher interests of the Burundi people as a whole.

C. To the courts:

The participants in the parliamentary days recommend that:

1. Judicial proceedings should be based on the law;
2. The independence of the judiciary should be taken into consideration and should prevail over other powers with a view to the just and rigorous application of the law;
3. They should insist on being given the means and tools they need to perform their important and very sensitive task efficiently.

D. To all the people of Burundi:

The participants in the parliamentary days recommend that they should:

1. Cease killing one another, whatever the pretext;
2. Demonstrate greater patriotism, restraint and moderation;
3. Make an effort to achieve an identical reading of our history and make a break with the sombre past in order to build a better future together;
4. Be constantly on their guard to ensure that their statements are impartial and objective, in order to avoid stereotyping and demonization, and that any criticisms they put forward are constructive;
5. Engage in the reconstruction of their country by relying primarily on their own resources through their renowned solidarity, rather than expecting everything to be done by the State and by benefactors.

E. To the international community:

The participants in the parliamentary days recommend that it:

1. Call on the belligerents to renounce war and persuade them that dialogue is the best way to resolve the conflict in Burundi;
2. Continue and intensify its humanitarian activities on behalf of the victims of disaster;
3. Resume both bilateral and multilateral cooperation with Burundi as the peace process advances.

In conclusion,

The participants in the parliamentary days express their deepest gratitude to the Association of West European Parliamentarians for Southern Africa, which has supported this constructive initiative morally, politically and materially and remains available to continue encouraging the peace process in Burundi and encourage a resumption of cooperation for development with friendly countries and bodies.

The participants thank all the national and international organizations that from far or near supported the holding of the parliamentary days.

The participants in the parliamentary days also thank the Mozambican and South African parliamentarians who were so kind as to participate actively in the debates and who shared with the Burundi community their experience of negotiating peace in their own countries.

The Burundi parliamentarians likewise thank the Rwandan Members of Parliament who kindly associated themselves with the activities of the parliamentary days.

The representatives of the Burundi people express their sincere thanks to the Government of Burundi, which was good enough to associate itself with this initiative through the participation of its members in the parliamentary debate and through its moral, material and financial support.

Lastly, the representatives of the people and the other participants consider that the parliamentary days have created a new climate of dialogue and confidence between the executive and legislative branches which will promote the positive evolution of the process of peace and national reconciliation in Burundi.



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LETTER DATED 7 NOVEMBER 1997 FROM THE EXECUTIVE CHAIRMAN OF THE
SPECIAL COMMISSION ESTABLISHED BY THE SECRETARY-GENERAL PURSUANT
TO PARAGRAPH 9 (b) (i) OF SECURITY COUNCIL RESOLUTION 687 (1991)
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to my letter of 5 November 1997 (S/1997/848), I believe that you, and through you the members of the Security Council, will wish to be aware of further developments concerning the Special Commission's work pursuant to the Council's decisions.

On 6 November, teams from the Commission's Baghdad Monitoring and Verification Centre attempted to conduct inspections in the Baghdad area to investigate, *inter alia*, the movement of equipment under monitoring (which was notified to you in my letter of 5 November). The teams were again blocked. The attempt to inspect these sites for the same reason was repeated again today, 7 November. Again, the teams were blocked.

In addition, a team tried to visit a monitored site to change cassettes in chemical air samplers. Such samplers are used to detect prohibited chemical activities if they have occurred. The cassettes need to be changed on a regular basis and analysed at the Commission's laboratory in Baghdad. The team was denied access to the site to carry out this work. This work is an essential part of the Commission's ongoing monitoring and verification activities, laid down in the monitoring plan and approved by the Council in its resolution 715 (1991). Such air samplers are installed in a number of facilities throughout Iraq. Were Iraq's blocking actions to continue, the Commission would be denied this additional means of detecting that Iraq is not engaged in prohibited activities. It is the case that some of these chemical sites in Iraq have the capability to carry out chemical warfare-related activities within a matter of days.

I should also like to draw to the attention of the Council the attached letter addressed to me from the Chargé d'affaires of the Permanent Mission of Iraq (see annex), which repeats the Iraqi authorities' unacceptable charge from the Deputy Prime Minister of 29 October that the Commission's U-2 aircraft "has been spying on Iraq ... in order to execute America's hostile policy against Iraq under cover of the Commission's operations". It states that flights by the



high-altitude reconnaissance aircraft cannot be accepted. It urges the cancellation of a flight notified by me in a letter of 5 November. It further warns that I will "bear the responsibility for the consequences that will ensue" if I decide to send the aircraft to Iraq, "especially in circumstances where our anti-aircraft defences are being activated everywhere and are being made ready to meet the possibility of aggression".

The Council will also wish to be aware that, on 6 November, the Director of the Baghdad Monitoring and Verification Centre wrote to his counterpart at Iraq's National Monitoring Directorate reminding him of Iraq's responsibility to provide adequate internal lighting and unobstructed views for all monitoring cameras installed by the Commission. The Government of Iraq responded on the same day that they had taken measures to keep adequate internal lighting and unobstructed views for all cameras at monitored sites. The letter from Iraq also asked that the Commission advise the Iraqi authorities of any defect that might occur to the monitoring system at such sites. Initial reports from the Baghdad Monitoring and Verification Centre indicate that all internal lighting at the camera-monitored sites has now been turned on and physical obstructions on the cameras have been removed. Nevertheless, equipment remains out of camera view, either obscured by structures emplaced around its location or physically absent. This situation does not enable the Commission to determine the equipment's whereabouts, or its possible use. Therefore, the concerns raised in my letter of 5 November remain.

I would be grateful if you would bring the present letter to the attention of the members of the Security Council.

(Signed) Richard BUTLER

Annex

[Original: Arabic]

Letter dated 6 November 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991)

With reference to the letter dated 29 October 1997 from the Deputy Prime Minister of Iraq addressed to the President of the Security Council (S/1997/829), I should like to affirm our stance concerning the U-2 aircraft as set forth in that letter and to draw your attention to it. Because of its importance, I deem it appropriate to recall it here again. The text in question states as follows:

"I have explained in my letter dated 12 October 1997 addressed to you the question of the U-2 plane used by the Special Commission. The U-2 plane is an American spying plane which has been spying on Iraq and its leadership in order to execute America's hostile policy against Iraq under cover of the Special Commission's operations. It also provides the Special Commission with deliberately misleading information with a view to create problems and superficial crises as specifically happened in June and September 1997. We request that the Special Commission withdraw its cover from that spy plane flying over Iraqi skies and we stand ready to arrive at a neutral formula with the Special Commission, with the participation of the permanent members of the Security Council, if there is a need for such activity. In my letter to you of 12 October 1997, I made proposals, such as replacing the U-2 plane by an Iraqi plane which is to be fully placed under the disposal of the Special Commission, or by using a plane belonging to a neutral State that has no special objectives against Iraq."

As stated by our Permanent Representative, Ambassador Nizar Hamdoon, in his letter of 2 November 1997 addressed to you (S/1997/837, annex): in the light of current developments, Iraq anticipates that the United States will engage in military aggression against it, as it has done on previous occasions. Accordingly, the entry of a United States spy plane into Iraqi airspace cannot be accepted. We therefore urge you to cancel the U-2 overflights of which you gave notification in your letter to us of 5 November 1997.

We regret your insistence on sending the spy plane in these circumstances, when a dialogue is under way between Iraq and the Secretary-General of the United Nations and despite the Secretary-General's request. This insistence also comes at a time when Iraq has decided to postpone giving effect to its decision to deport the Americans working with the Special Commission. You will therefore bear the responsibility for the consequences that will ensue from any

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English

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decision by you to send the spy plane to Iraq, especially in circumstances where our anti-aircraft defences are being activated everywhere and are being made ready to meet the possibility of aggression.

(Signed) Saeed H. HASAN
Chargé d'affaires a.i.



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LETTER DATED 7 NOVEMBER 1997 FROM THE PERMANENT
REPRESENTATIVE OF LUXEMBOURG TO THE UNITED
NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to bring to your attention the statement on the situation in the Republic of the Congo made on 3 November 1997 by the President of the European Union.

I should appreciate it if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Jean-Louis WOLZFELD
Permanent Representative
of Luxembourg
to the United Nations



Annex

[Original: English and French]

Statement on the situation in the Republic of the Congo
made on 3 November 1997 by the Presidency of the
European Union

The European Union has been following with considerable concern the developments in the Republic of the Congo. It reiterates that it has always supported the international mediation undertaken by President Hadj Omar Bongo of the Gabonese Republic and Mr. Mohammed Sahnoun, Special Representative of the Secretaries-General of the United Nations and the Organization of African Unity. It expresses its deep regret that the mediation was not successful and deplores the fact that the political crisis has turned into an armed conflict that has brought about a change of government without the people of the Congo having been able to express their wishes in free elections.

The Union condemns any outside interference in the Republic of the Congo, in particular the intervention of foreign forces, in breach of the Charter of the United Nations, and asks for all foreign forces, including mercenaries, to be withdrawn immediately.

The Union deplores the heavy loss of life caused by the conflict in the Congo, including among the civilian population. It calls upon Mr. Sassou Nguesso to respect fully the human rights of all the inhabitants of the Republic of the Congo in accordance with the relevant provisions of public international law and to refrain from any persecution following the change in power. It is concerned about the fate of the foreign nationals and refugees living in Congolese territory and calls upon the authorities to ensure their safety. It also calls upon them to return forthwith to a constitutional order and to embark irrevocably upon the pursuit of peace and national reconciliation, which are also preconditions for the return of refugees and the economic reconstruction of the country.

The Union asks the authorities to give renewed impetus to the democratic process and to prepare for free, transparent and fair democratic elections, which should be held at the earliest opportunity under international supervision. It asks all parties to the conflict to lay down their arms, demobilize the militia and return their members to civilian life.

The European Union supplies emergency humanitarian aid to the victims of the armed conflict. Further cooperation will depend on the progress made towards national reconciliation and the legitimization of the authorities.

The Central and Eastern European countries of Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Poland, Romania, Slovakia and Slovenia, the associated country Cyprus and the countries of the European Free Trade Association, Iceland and Norway, members of the European Economic Area, align themselves with this statement.



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GENERAL ASSEMBLY
Fifty-second session
Agenda items 36 and 37
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-second year

Report of the Secretary-General

1. The present report is submitted in accordance with General Assembly resolution 51/26 of 4 December 1996 on the question of Palestine.
2. On 9 September 1997, the Secretary-General, pursuant to the request contained in paragraph 9 of resolution 51/26, addressed the following letter to the President of the Security Council:

"I have the honour to refer to resolution 51/26, which the General Assembly adopted on 4 December 1996, at its fifty-first session, under the agenda item entitled 'Question of Palestine'.

"In paragraph 9 of the resolution the General Assembly requests the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in this matter.

"In order to fulfil my reporting responsibilities under this resolution, I should be grateful if you would kindly convey to me the views of the Security Council by 6 October 1997."

3. On 18 September 1997, the following reply was received from the Security Council:

"The Security Council is gravely concerned about the recent developments in the Occupied Territories and the region.

"The Council calls upon the concerned parties to pursue the negotiations and to fulfil their obligations under the Agreements achieved. The Council continues to be determined to provide the needed backing to the



Middle East peace process, giving full support to the Agreements achieved as well as to the timely implementation of those Agreements."

4. In a note verbale dated 9 September 1997 to the parties concerned, the Secretary-General sought the positions of the Governments of Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic, as well as the Palestine Liberation Organization, regarding any steps taken by them to implement the relevant provisions of the resolution. As at 23 October 1997, the following replies had been received:

Note verbale dated 6 October 1997 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

"The adoption of resolution 51/26 in the General Assembly by an overwhelming majority constituted a reaffirmation of the strong commitment of the international community toward its content. The resolution has stressed several important principles pertaining to peace in the Middle East as well as the relevant United Nations resolutions and the principles of international law. Egypt fully supports those principles and will continue to work diligently with the parties with a view to reaching a final settlement of the question of Palestine through the achievement of the inalienable rights of the Palestinian people.

"Since the adoption of the above-mentioned resolution on 4 December 1996, the Middle East peace process has regrettably witnessed a series of setbacks, mostly owing to the lack of commitment of the Israeli Government toward the achievement of the ultimate goal of establishing comprehensive, just and lasting peace in the Middle East.

"While in paragraph 3 of the resolution the General Assembly stresses the necessity for the immediate and scrupulous implementation of the agreements reached between the parties, the international community has been, and continues to be, seized with a multitude of illegal unilateral actions by Israel that are in clear violation of the agreements reached. Those actions include attempts to alter the status and demographic composition of Jerusalem, the unprecedented increase in settlement activities throughout the occupied territory of the West Bank and Jerusalem, as well as the continued delay in implementing fully the provisions of the transitional agreement (with the exception of the part related to Al-Khalil).

"In that context, the ongoing construction of a new Israeli settlement in Jabal Abu Ghneim to the south of Occupied East Jerusalem has been of particular concern to the international community, as manifested in a number of General Assembly resolutions in both regular and extraordinary sessions. This act constitutes one of the major illegal unilateral measures undertaken by Israel with the aim of preempting the outcome of the final status negotiations. Egypt, as well as the whole international community, opposed this act and called for its halt and reversal. Regrettably, Israel, in blatant challenge to and contempt for the will of the international community, is still carrying on with the construction in Jabal Abu Ghneim.

"With regard to paragraph 8 of the resolution, concerning the importance for the United Nations to play a more active and expanded role in the current peace process, Egypt welcomes progress in this regard, in particular in socio-economic fields and other assistance to the Palestinian people. Egypt stresses the need to maintain the indispensable role of UNRWA in assisting the Palestinian refugees, and believes that the Agency should dispose of the necessary financial resources in order to fulfil this vital role.

"Egypt is of the view that, for the achievement of the peaceful settlement of the question of Palestine, it is crucial that the Israeli Government adhere to the basic principles upon which the Middle East peace process was started, namely, Security Council resolutions 242 (1967) and 338 (1973) and the principle of exchanging land for peace. Egypt is also of the view that Israel should commit itself to implementing the provisions of all agreements reached in good faith and without delay, in particular the withdrawal of its troops from areas B and C of the occupied West Bank. Achieving significant progress in the peace process must be based on refraining from undertaking unilateral measures that undermine the trust between the parties and make the final status negotiations nearly senseless. The international community represented by the United Nations should assume its responsibility in upholding these principles and ensuring respect for them."

Note verbale dated 13 October 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

"General Assembly resolution 51/26 was adopted by an overwhelming majority (152-2-4), a reflection of the strong convictions of the international community with regard to the content of the resolution. The resolution recalls several principles of international law and the Charter of the United Nations, provides support for the peace process and implementation of the agreements reached and also provides the basis for the just settlement of the question of Palestine, the core of the Arab-Israeli conflict. The resolution also emphasizes the importance of a more active and expanded role for the United Nations in this process. As such, the resolution should serve as an acceptable basis for all parties to work on these important issues.

"In paragraph 2 of resolution 51/26, the General Assembly once again expresses its full support for the ongoing peace process, which began in Madrid, and the Declaration of Principles on Interim Self-Government Arrangements of 1993, as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip of 1995, and expresses the hope that the process will lead to the establishment of a comprehensive, just and lasting peace in the Middle East. In paragraph 3, the Assembly stresses the necessity for the immediate and scrupulous implementation of the agreements reached between the parties and the commencement of the negotiations on the final settlement.

"Since the adoption of resolution 51/26, the Middle East peace process has unfortunately deteriorated critically owing to the policies and actions of the Israeli Government, which appear to aim at burying the existing agreements between the parties. The transitional agreement has not been implemented, with the exception of the part related to Al-Khalil (Hebron), the negotiations on the final settlement have not been started and the economic and living conditions of the Palestinian people have dramatically deteriorated. Several tragic bombing attacks in West Jerusalem have also contributed to the exacerbation of the situation.

"As indicated in our note to the Secretary-General with regard to this resolution during the fifty-first session, the Israeli Government, since taking office, has adopted guidelines contradicting the letter and spirit of the agreements reached, made it clear that the timetable agreed upon would not be respected, resumed colonial settlement activities in the occupied territory and opened a tunnel in the vicinity of the Al-Aqsa Mosque in Occupied East Jerusalem. Since then, the Israeli Government has not closed the above-mentioned tunnel, in flagrant violation of Security Council resolution 1073 (1996), and has continued with, and even intensified, its colonial settlement activities, including the building of a new settlement in Jabal Abu Ghneim to the south of Occupied East Jerusalem. The Government has continued its drive to Judaize Jerusalem and to change its status and demographic composition.

"In the seventh preambular paragraph of resolution 51/26, the General Assembly affirmed the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem. Further, the Assembly, in paragraphs 5 and 6, stressed the need for the realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the withdrawal of Israel from the Palestinian territory occupied since 1967, and the need for resolving the problem of the Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948.

"The Palestinian side believes that the seventh preambular paragraph and paragraphs 5 and 6 are of great importance as they reflect established positions of the international community consistent with international law. The Palestinian side believes that the international community, represented by the General Assembly, should always uphold the principles of the Charter of the United Nations, international law, international humanitarian law and the validity of Security Council resolutions. As such, the Assembly has to uphold its positions in relation to the inalienable rights of the Palestinian people, and it should maintain its positions related to the elements of the final settlement (final status issues), including Jerusalem, settlements and refugees, with regard to which Israel has already created illegal de facto situations, until negotiations on those issues take place and the final settlement is effectively achieved.

"In paragraph 8 of the same resolution, the General Assembly emphasizes the importance for the United Nations to play a more active and expanded role in the current peace process and in the implementation of the Declaration of Principles. The Palestinian side welcomes the progress made

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in this regard, especially in the fields of providing economic, social and other assistance to the Palestinian people. It welcomes in particular the work of the United Nations Special Coordinator in the Occupied Territories in the field of coordinating United Nations, as well as international, assistance to the Palestinian people. It also welcomes the transfer of the headquarters of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to Gaza City and the presence of the Commissioner-General and his important contribution. It affirms the need for the continuation of the valuable and important work of UNRWA in other fields of operation outside the Occupied Palestinian Territory as well as the continuation of all field offices, including the field office in Jerusalem.

"The Palestinian side hopes that the United Nations will be involved in bringing the peace process back on track and in keeping it alive and in assisting in the achievement of serious progress in this regard. The involvement of the Security Council would also be a very important factor in the interest of the peace process. Indeed, the Council has contributed to the salvaging of the peace process by responding to some recent events in the Occupied Palestinian Territory, including Jerusalem, by adopting resolution 1073 (1996) of 28 September 1996 and before that by adopting resolution 904 (1994) of 18 March 1994 on the massacre in the Ibrahimi Mosque in Al-Khalil.

"Unfortunately, the Council was twice prevented from playing the same positive role and from discharging its responsibilities for the maintenance of peace and security as a result of the two vetoes exercised by the United States of America on 7 and 21 March 1997 on two draft resolutions dealing with the illegal Israeli settlement in Jabal Abu Ghneim. The two vetoes led to the convening of the tenth emergency special session of the General Assembly on illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory. The convening of the emergency special session indicated the determination of the membership of the United Nations to remain engaged and to adhere to the Charter of the United Nations and international law and to protect the Middle East peace process.

"The Palestinian side reiterates its appreciation to the Secretary-General for his substantial and accurate report presented pursuant to resolution ES-10/2 and, as it has in previous years, would like to underscore the request made by the General Assembly in resolution 51/26 for the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in this regard.

"Finally, the Palestinian side believes that for the peaceful settlement of the question of Palestine to be achieved through the current Middle East peace process, it is necessary to respect the basis upon which the process was initiated, namely, the principle of the return of land for peace and the implementation of Security Council resolutions 242 (1967) and 338 (1973). It is equally important for the parties to comply with the agreements reached and to implement those agreements in good faith and

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without delay. Furthermore, all actions that violate international law, relevant Security Council resolutions and those agreements must be ceased completely. The international community, especially the co-sponsors of the peace process, have a great responsibility in this regard."

OBSERVATIONS

5. The stagnation of the Middle East peace process during the past year is disappointing. After prolonged and difficult talks, the protocol concerning the redeployment in Hebron, concluded on 17 January 1997, inspired the hope that confidence and mutual trust between Palestinians and Israelis would increase and create a positive environment for subsequent negotiations that could be successful. Regrettably, the start by Israel of construction of a settlement in Jabal Abu Ghneim/Har Homa to the south of East Jerusalem thwarted that positive trend and led to a dangerous and lengthy stalemate. Since then, I have submitted two reports (A/ES-10/6-S/1997/494 and Corr.1 and Add.1 and A/ES-10/6-S/1997/798 and Add.1) in this regard at the request of the tenth emergency special session of the General Assembly, which addressed Israeli actions.

6. I have been appalled by the horrifying terrorist bombings in Israel, which took the lives of innocent people. These despicable acts of terror have further shaken the confidence between Israelis and Palestinians and deepened the crisis in the peace talks. Terrorism, whatever its motivation, can never be justified and I condemn it unreservedly. It is the enemy of the Middle East peace negotiations that hold the expectations of millions. Violence of this kind can never advance any cause. I welcome and fully support measures being taken to combat terrorism. Enhancing the role of the United Nations in that regard is a part of my programme for reform.

7. The parties to the peace process bear responsibility for settling the Arab-Israeli conflict in a just and comprehensive manner in accordance with Security Council resolutions 242 (1967) and 338 (1973). The people of the Middle East have a right to live in peace, security and mutual respect and dignity. Attempts to avoid implementing in full and on time the agreements signed since 1993 or to undermine them can only postpone the fulfilment of those aspirations and weaken the peace process.

8. It is my earnest belief that both sides - Palestinians and Israelis - should do everything possible so that mutual trust is restored, peace negotiations are revitalized and steady progress is ensured through the transitional period, leading to a permanent settlement as envisaged by the Declaration of Principles on Interim Self-Government Arrangements (A/48/486-S/26560, annex). Courage, determination and commitment should guide the parties along that path. To that end, Israel should refrain from unilateral actions that have the effect of pre-empting the outcome of the talks and the Palestinian Authority should spare no effort in fighting terrorism effectively. I hope that the resumption of high-level meetings this autumn and the committee talks on outstanding issues will create momentum to get the Israeli-Palestinian talks back on track. Progress on the Israel-Syria and Israel-Lebanon tracks of

negotiations is also essential for achieving a comprehensive and durable peace in the region.

9. The United Nations will continue to support the peace process, politically and through the provision of economic and social assistance to the Palestinian people facilitated by the United Nations Special Coordinator in the Occupied Territories. Improving living conditions in the West Bank and Gaza is imperative for creating a favourable atmosphere for the peace process on the ground. In that connection, it is important that UNRWA be put on a sound financial footing so that the downgrading in its services to the Palestinian refugees can be avoided.



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LETTER DATED 10 NOVEMBER 1997 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 10 November 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning this morning's violation of Iraq's airspace by the United States U-2 spy plane and several formations of United States warplanes.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Chargé d'affaires a.i.



Annex

Letter dated 10 November 1997 from the Minister for Foreign Affairs
of Iraq addressed to the Secretary-General

As the time for the Security Council to discuss the report of the United Nations mission to Iraq was drawing near, at 8.28 a.m. today, Monday, 10 November 1997, the United States U-2 spy plane together with several formations of United States warplanes fitted with all kinds of weapons and espionage equipment violated our airspace pursuant to a decision by United States officials. It thus violated, by military threat, the sovereignty of an independent State and a founding Member of the United Nations. On this basis, it is no longer to be considered, even nominally or formally, as one of the means used by the United Nations to conduct so-called inspections. We shall act in its regard and in regard to other United States aircraft that violate our airspace in this manner in such a way as to safeguard Iraq's sovereignty and security.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said Al-SAHAF
Minister for Foreign Affairs of
the Republic of Iraq
